

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHRISTOPHER GRASSI,

Petitioner,

vs

9:00-CV-329

JOSEPH E. McCOY, Superintendent,

Respondent.

APPEARANCES:

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DAVID N. HURD
United States District Judge

OF COUNSEL:

JOHN A. CIRANDO, ESQ.

CAROL A. COCCHIOLA, ESQ.
Asst. Attorney General

DECISION and ORDER

Petitioner, Christopher Grassi, brought this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. By report recommendation dated September 13, 2005, the Honorable George H. Lowe, United States Magistrate Judge, recommended that the petition for a writ of habeas corpus be dismissed in its entirety. Petitioner has filed timely objections.

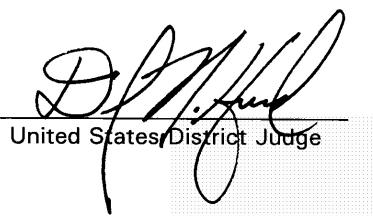
Based upon a de novo determination of the report and recommendations, including the portions to which petitioner objected, the Report-Recommendation is accepted and adopted in whole. See 28 U.S.C. 636(b)(1); Rule 10, Rules Governing Section 2254 Cases.

Accordingly, it is

ORDERED that the petition for a writ of habeas corpus is DENIED and DISMISSED in its entirety.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.



United States District Judge

Dated: March 1, 2006
Utica, New York.